THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.14321 OF 2006

ORAL ORDER:

This writ petition filed seeking a declaration that the action of the respondents in seizing the petitioner's vehicle bearing registration No.AP 30-T-8892 vide vehicle check report No.2273280, dated 6.7.2006, is arbitrary and illegal.

The check report dated 6.7.2006, shows that the vehicle was seized on the allegation that in all 25 passengers were traveling in the vehicle by paying individual fares and the vehicle was misused as a stage carriage and, thereby, violated the provisions of Section 207 of the Motor Vehicles Act and Section 8 of the A.P. Motor Vehicles Taxation Act, 1963.

Having regard to the nature of the controversy involved and having heard learned Government Pleader appearing for Transport and keeping in view that the allegations are required to be enquired into by the competent authority, I deem it appropriate to direct the respondents to release the vehicle in question, subject to the condition that the petitioner deposits a sum of Rs.5,000/- (rupees five thousand only), and also furnishing an undertaking that he will not alienate, transfer, encumber or create any third party interest over the vehicle in question till final orders are passed. It is made clear that the amount deposited in pursuance of the orders of this Court shall be subject to the out come of the enquiry.

Accordingly, the Writ Petition is disposed of leaving it open to respondents to proceed with the enquiry in accordance with law. No costs.

(G. ROHINI, J.)

13th July, 2006.
Kgr
Operative portion by wire at party's costs.

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.14321 OF 2006

13th July, 2006.

Between:

T. Venkata Rao. .. Petitioner.

And

The Secretary and Registering Authority,
Regional Transport Authority,
Srikakulam, Srikukalam district
and another. .. Respondents.